

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

QUESTIONNAIRE FOR THE PRISONERS PROCEEDING
PRO SE UNDER 42 U.S.C. § 1983

CARLTON MICHAEL GARY

(GIVE FULL NAME AND PRISON NUMBER OF PLAINTIFF)

Plaintiff

CIVIL ACTION NO:

5:15-CV-259

VS.

WARDEN BRUCE CHATMAN

DEPUTY WARDEN KEITH EATSEY

MAJOR (??) DENDY

DR. (??) FOWLKES

(NAME OF EACH DEFENDANT)

Defendant(s)

I. GENERAL INFORMATION

1. Your full name and prison number CARLTON MICHAEL GARY, UNO 418413
2. Name and location of prison where you are now confined GEORGIA DIAGNOSTIC & CLASSIFICATION PRISON, JACKSON, GA
3. Sentence you are now serving (how long?) UNDER DEATH SENTENCE ("UDS")
 - (a) What were you convicted of? MURDER, RAPE, BURGLARY
 - (b) Name and location of court which imposed sentence MUSCOGEE COUNTY SUPERIOR COURT, COLUMBUS, GA
 - (c) When was sentence imposed? 1986
 - (d) Did you appeal your sentence and/or conviction? Yes ☒ No ☐
 - (e) What was the result of your appeal? PENDING

(f) Approximate date your sentence will be completed N/A

II. PREVIOUS LAWSUITS

NOTE: FAILURE TO DISCLOSE ALL PRIOR CIVIL CASES MAY RESULT IN THE DISMISSAL OF THIS CASE. IF YOU ARE UNSURE OF ANY PRIOR CASES YOU HAVE FILED, THAT FACT MUST BE DISCLOSED AS WELL.

4. Other than an appeal of your conviction or sentence, and other than any habeas action, have you filed a lawsuit dealing with the same or similar facts or issues that are involved in this action?

Yes ☒ No ☐

5. If your answer to question 4 is "Yes," list that lawsuit below, giving the following information:

(IF YOU HAVE FILED MORE THAN ONE LAWSUIT, LIST OTHER LAWSUITS ON A SEPARATE SHEET OF PAPER, GIVING THE SAME INFORMATION FOR EACH)

(a) Parties to the previous lawsuit INVOLVING SAME FACTS:

Plaintiff(s): GARLTON MICHAEL GARY

Defendant(s): BRIAN OWENS, et al.

(b) Name of Court: MIDDLE DISTRICT, MACON DIVISION

(c) Docket Number: 5:10-CV-061^(AL) When did you file this lawsuit? CANNOT REMEMBER

(d) Name of judge assigned to case: HUGH LAWSON (?)

(e) Is this case still pending? Yes ☐ No ☒

(f) If your answer to (e) is "No", when was it disposed of and what were the results?

(DID YOU WIN? WAS THE CASE DISMISSED? DID YOU APPEAL?)

DISMISSED WITHOUT PREJUDICE; FAILURE TO EXHAUST
CANNOT REMEMBER DATE

6. Other than an appeal of your conviction or sentence, and other than any habeas action, have you ever filed any lawsuit while incarcerated or detained? Yes ☒ No ☐

7. If your answer to question 6 is "Yes," list that lawsuit below, giving the following information:

(IF YOU HAVE FILED MORE THAN ONE LAWSUIT, LIST OTHER LAWSUITS ON A SEPARATE SHEET OF PAPER, GIVING THE SAME INFORMATION FOR EACH) (SEE ATTACHED/ENCLOSED SHEET)

(a) Parties to the previous lawsuit:

Plaintiff(s): GARLTON MICHAEL GARY

Defendant(s): STEWART SHAPIRO, et al.

(b) Name of Court: MIDDLE DISTRICT, MACON DIVISION

(c) Docket Number: 5:96-CV-376 When did you file this lawsuit? 9-30-96
3-HL

(d) Name of judge assigned to case: HUGH LAWSON (?)

(e) Is this case still pending? Yes ☐ No ☒

(f) If your answer to (e) is "No", when was it disposed of and what were the results?
(DID YOU WIN? WAS THE CASE DISMISSED? DID YOU APPEAL?)

DISMISSED WITHOUT PREJUDICE, 11-26-97

8. AS TO ANY LAWSUIT FILED IN ANY FEDERAL COURT in which you were permitted to proceed *in forma pauperis*, was any suit dismissed on the ground that it was frivolous, malicious, or failed to state a claim? Yes ☒ No ☐

If your answer is Yes, state the name of the court and docket number as to each case:

<u>MIDDLE DISTRICT, MACON DIV.</u>	<u>5:96-CV-376-3-HL</u>
<u>11 11 11 11</u>	<u>5:02-CV-359-2-HL</u>
<u>11 11 11 11</u>	<u>5:07-CV-149-LAR</u>
<u>11 11 11 11</u>	<u>5:08-CV-72-LAR</u>
<u>11 11 11 11</u>	<u>5:10-CV-061-HL</u>

III. PLACE OF INCIDENT COMPLAINED ABOUT

9. Where did the matters you complain about in this lawsuit take place? GEORGIA
DIAGNOSTIC + CLASSIFICATION PRISON (CDTP), JAILSON, GA

(a) Does this institution have a grievance procedure? Yes ☒ No ☐

(b) If your answer to question 9(a) is "Yes", answer the following:

(1) Did you present your complaint(s) herein to the institution as a grievance?

Yes ☒ No ☐

(2) If Yes, what was the result? SEVERAL GRIEVANCES FILED

PER ISSUE; FIVE ISSUES; SEE ATTACHMENT.

(3) If No, explain why not:

(c) What, if anything else, did you do or attempt to do to bring your complaint(s) to the attention of prison officials? Give dates and places and the names of persons talked to.

SEE ATTACHMENT

(d) Did you appeal any ~~denial~~ of your grievance to the highest level possible in the prison system? Yes ☒ No ☐

(1) If Yes, to whom did you appeal and what was the result?

SEE ATTACHMENT FOR SECTION III, 9(2)

(2) If No, explain why you did not appeal:

10. In what other institutions have ^{you} been confined? Give dates of entry and exit.

NONE IN GEORGIA

NEW YORK STATE, ABOUT 1970-75 ; 1977

SOUTH CAROLINA, ABOUT 1979-84

IV. PARTIES TO THIS LAWSUIT

11. List your CURRENT place of incarceration/mailling address.

GEORGIA DIAGNOSTIC AND CLASSIFICATION PRISON ("GDCP")

P.O. BOX 3877 G1-14 UNO 418413

(CARLTON MICHAEL GARY, UNO 418413, G1-14, P.O. BOX 3877, JACKSON, GA, 30233-0078)

12. List the full name, the official position, and the place of employment of each defendant in this lawsuit. (ATTACH ADDITIONAL PAGES IF NECESSARY)

BRUCE CHATMAN, WARDEN, GDCP

KEITH EUTSEY, DEPUTY WARDEN, GDCP

??, DENDY, MAJOR, GDCP

??, FOWLKES, DOCTOR (MAY BE ASSISTANT MEDICAL DIRECTOR), GDCP

V. STATEMENT OF CLAIM

13. In the space hereafter provided, and on separate sheets of paper if necessary, set forth your claims and contentions against the defendant(s) you have named herein. Tell the court WHAT you contend happened to you, WHEN the incident(s) you complain about occurred, WHERE the incident(s) took place, HOW your constitutional rights were violated, and WHO violated them? Describe how each defendant was involved, including the names of other persons who were also involved. If you have more than one claim, number and set forth each claim SEPARATELY.

DO NOT GIVE ANY LEGAL ARGUMENT OR CITE ANY CASES OR STATUTES AT THIS TIME; if such is needed at a later time, the court will advise you of this and will afford you sufficient time to make such arguments. KEEP IN MIND THAT RULE 8 OF THE FEDERAL RULES OF CIVIL PROCEDURE REQUIRES THAT PLEADINGS BE SIMPLE, CONCISE, and DIRECT! If the court needs additional information from you, you will be notified.

WHERE did the incident you are complaining about occur? That is, at what institution or institutions? ALL INCIDENTS OCCURED AT THE G-DACP

WHEN do you allege this incident took place? DATES NOTED IN ATTACHMENTS

WHAT happened? I. VISITATION: ON JULY 4, 2013, I WAS TAKEN FROM THE VISITING AREA KNOWN AS "INSIDE A". I WAS TAKEN TO THE INMATE RESTROOM AND STRIP-SEARCHED BY SEVERAL CORRECTIONAL OFFICERS ("C/O, C/O'S"). THEY INCLUDED LTS. BROWN AND DONNIE SMITH; SGT. YAGHAN; C/O'S WILLIS, WILLIAMS, ZELLNER. THIS WAS WITNESSED BY INMATE JOAQUIN ARAVELO AND HIS VISITOR, INMATE JOSEPH WILLIAMS AND HIS VISITOR, AND OTHERS. I WAS ESCORTED BACK TO MY HOUSING UNIT OF G-CELLHOUSE, CELLBLOCK G4, CELL 104, SEGREGATION ("SEG") UNIT. ABOUT A HALF HOUR OR HOUR LATER, I WAS TAKEN FROM G4-104 BY C/O BANKS. I WAS THEN ESCORTED BY SGT. YAGHAN AND C/O COLLIS (NOW SGT.) TO THE OFFICE OF DEFENDANT DENDY. MAJOR DENDY STATED I WAS GOING TO H-HOUSE ("THE HOLE"). I WANTED TO KNOW WHY, AND TOLD HER I WAS ALREADY IN SEGREGATION AND HAD NOT DONE ANYTHING. SHE STATED DEFENDANT EITSEY WOULD COME TO H-HOUSE TO TALK TO

(CONTINUED ON ATTACHMENT)

14. List the name and address of every person you believe was a WITNESS to the incident(s) you complain about, BRIEFLY stating what you believe each person knows from having seen or heard what happened. (USE ADDITIONAL SHEETS, IF NECESSARY)

SEE ATTACHMENT

15. BRIEFLY state exactly what you want the court to do for you. That is, what kind of relief are you seeking in this lawsuit? Do not make any legal arguments and do not cite any cases or statutes! (USE ADDITIONAL SHEETS, IF NECESSARY)

A DECLARATION THAT THE ACTS AND OMISSIONS DESCRIBED
HEREIN VIOLATED PLAINTIFF'S RIGHTS UNDER THE LAWS
AND CONSTITUTION OF THE UNITED STATES AND STATE OF
GEORGIA. THE COURT HAS SUPPLEMENTAL JURISDICTION
OVER PLAINTIFF'S STATE LAW CLAIMS UNDER 28 U.S.C
SECTION 1367.

(SEE ATTACHMENT)

16. You may attach additional pages if you wish to make any legal argument. However, legal arguments are NOT required in order for you to obtain relief under §1983. If the court desires legal argument from you, it will request it. If any defendant presents a legal argument, you will be afforded an opportunity to respond thereto.

17. KEEP IN MIND THAT ONCE YOUR LAWSUIT IS FILED, THE COURT WILL REQUIRE YOU TO DILIGENTLY PROSECUTE IT. That means that you will be required to go forward with your case without delay. Thus, if you fail to adequately prepare your case before you file it, you may find your lawsuit dismissed for failure to prosecute if you take no action once it is filed. YOU WILL RECEIVE NO FURTHER INSTRUCTIONS FROM THE COURT TELLING YOU WHAT TO DO OR HOW TO DO IT! IT IS YOUR RESPONSIBILITY AND YOURS ALONE TO PROSECUTE YOUR OWN CASE! If you fail to prosecute your case, it will be dismissed under Rule 41 of the Federal Rules of Civil Procedure.

Signed this 30th day of JUNE, 2015.

Barlton Michael Gary
PLAINTIFF

ATTACHMENT FOR PAGES 6

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CLERK'S OFFICE
2015 JUL -6 AM 9:55

U.S. DISTRICT COURT
MIDDLE DIST. OF GEORGIA
MACON, GEORGIA

(a) Parties to the previous lawsuit:

Plaintiff: GARLTON MICHAEL GARY

Defendant: STEVE GOEN

(b) Name of Court: MIDDLE DISTRICT, MACON DIVISION

(c) Docket number: 5:02-CV-359-2-HL

When did you file this lawsuit: CANNOT REMEMBER

(d) Name of judge assigned to case: HUGH LAWSON(?)

(e) Is the case still pending? NO

(f) If your answer to (e) is "no", when was it disposed of and what were the results?

DISMISSED WITHOUT PREJUDICE; DATE UNKNOWN

(a) Parties to the previous lawsuit:

Plaintiff: GARLTON MICHAEL GARY

Defendant: HILTON HALL

(b) Name of Court: MIDDLE DISTRICT, MACON DIVISION

(c) Docket number: 5:07-CV-149-CAR

When did you file this lawsuit? 4-20-07

(d) Name of judge assigned to case: G.A. ROYAL(?)

(e) Is the case still pending? NO

(f) If your answer to (e) is "no", when was it disposed of and what were the results?

DISMISSED WITHOUT PREJUDICE; 3-17-08

(a) Parties to the previous lawsuit:

Plaintiff: GARLTON MICHAEL GARY

ATTACHMENT FOR PAGES 6 AND 7

- Defendants: HULTON HALL, et al.
- (b) Name of Court: MIDDLE DISTRICT, MACON DIVISION
- (c) Docket Number: 5:08-cv-72-CAR
- When did you file this lawsuit? 3-17-08
- (d) Name of judge assigned to case: L.A. ROYAL (?)
- (e) Is the case still pending? NO
- (f) If your answer to (e) is "no", when was it disposed of and what were the results?
- DEFENDANTS GRANTED WHAT PLAINTIFF SOUGHT;
MUTUAL AGREEMENT TO DISMISS;
DISMISSED WITHOUT PREJUDICE ; 3-20-08.

ATTACHMENT FOR SECTION III, 9(2)

I. VISITATION

- (a) Grievance no. 155175, filed July 9, 2013. Denied at institutional level August 28, 2013, exceeded response time limit. Appealed August 30, 2013. Denied by Central Office October 1, 2013.
- (b) Grievance filed July 18, 2013. Denied each level

II. SANITATION

- (c) Grievance no. 131238, filed September 4, 2012. Denied at prison October 1, 2012. Appealed October 2, 2012. Central office response was that they "cannot factually confirm or deny..."
 - (d) Grievance no. 92914, filed July 25, 2011 (Informal). Formal filed July 27, 2011. Denied at prison August 10, 2011. Dropped by Plaintiff after area cleaned.
 - (e) Grievance no. 114987, filed Informal March 27, 2012. Formal filed April 5, 2012. Fully granted at the prison level on April 24, 2012.
 - (f) Grievance no. 120335, filed Informal May 21, 2012. Formal filed June 5, 2012. Fully granted at the prison level on June 27, 2012.
 - (g) Grievance no. 158569, filed Informal September 30, 2013. Appealed November 18, 2013 because resolution not adhered to by prison staff. Central office found in their review that
- (1)

ATTACHMENT FOR SECTION III, 9(C)

there were issues with sanitation and rodents.

- (h) Grievance No. 173555, filed May 15, 2014. Denied at prison level. Denied by Central office on September 8, 2014.
- (i) Grievance No. 198494, filed June 21, 2015, still pending. Filed on roaches, pests, rodents.

III. OUT OF CELL TIME

- (j) Grievance No. 41487, Informal filed February 11, 2010. Formal filed February 17, 2010. Appeal filed March 5, 2010, after denial at prison on March 2, 2010. Denied by Central office.
- (k) Grievance No. 42339, Informal filed February 22, 2010. Formal filed March 1, 2010. Denied at prison March 4, 2010. Appealed March 10, 2010. Denied.
- (l) Grievance No. 113166, Informal filed March 6, 2012. Formal filed March 15, 2012. Denied at prison April 22, 2012. Appealed May 8, 2012. Denied, June 25, 2012.

IV. MEDICAL

- (m) Grievance No. 122580, Informal filed June 14, 2012. Formal filed June 27, 2012. Denied.
- (n) Grievance No. 125657, filed July 11, 2012. Denied at prison July 31, 2012. Central office denied October 9, 2012.
- (o) Grievance No. 171023, filed April 2, 2014. Denied.
(2)

ATTACHMENT FOR SECTION III, 9 (2)

V. COMMERCIAL COOLER

- (p) Grievance no. 94152, filed August 9, 2011. Denied.
- (q) Grievance no. 119493, Informal filed May 14, 2012. Formal filed May 21, 2012. Denied at prison June 5, 2012. Appealed June 18, 2012. Denied

ATTACHMENT FOR SECTION III, 9 (c)

I. VISITATION

- (a) Letters to Defendants Chatman, Ertsey, and Dandy on July 8, 2013, with attached statement in the letter to Major Dandy.
- (b) Letters to Unit Manager Miller and Lt. Brown on July 8, 2013.
- (c) Letters to Deputy Warden Ertsey on July 10 and July 11, 2013, respectively.
- (d) Letters to the GDOC's (Georgia Department of Corrections) Office of Investigations and Compliance, Inmate Affairs and Ombudsman office, on August 20 and August 28, 2013, respectively.
- (e) Spoke directly to Mr. Ertsey during inspection in H2-40, Thursday, September 5, 2013.
- (f) Letters to Warden Chatman September 9, 2013, September 23, 2013, and May 19, 2015, respectively.
- (g) Letter to Mr. Ertsey September 24, 2013.
- (h) Letter to Captain Felton, July 6, 2013.

II. SANITATION

- (i) Letter to then-Lt. Patty Pierce, July 25, 2011.
- (j) Letter to Counselor Forskey, March 27, 2012.
- (k) Spoke directly to Unit Managers, Supervisors, Correctional officers, Counselors, Auditor for the GDOC, Ms. Nelson, on various dates over the years.

ATTACHMENT FOR SECTION III, 9 (c)

III. OUT OF CELL TIME

- (1) Letters to Mr. Eutsay, February 22, 2011, and September 6, 2011.
- (2) Spoke directly to Wardens (before Mr. Chatman), Mr. Eutsay, Unit Managers Harper, Scott, Miller, Supervisors, Counselors, on various dates over the years.

IV. MEDICAL

- (1) Letters to Dr. Fowlkes on March 25, 2013; June 30, 2013; June 9, 2015.
- (2) Letter to Medical Director David Butts, at GDCP, April 2, 2014.
- (3) Letter to Counselor Whiters on April 2, 2014.
- (4) Spoke to several visiting doctors to the prison, Physician Assistants, Nurse Practitioners, Nurses, Unit Managers, Supervisors, Counselors, Mr. Eutsay, Correctional officers, on various dates.
- (5) Filed several sick call requests.
- (6) Informed my criminal attorneys, Mr. John R. Martin and Michael Kennedy McIntyre.
- (7) Letters sent to Warden Chatman and other staff from those attorneys.

V. COMMERCIAL COOLER

- (1) Letters to Counselor Willie Clark, Jr. on July 27, 2011
- (2)

ATTACHMENT FOR SECTION III, 9(C)

August 4, 2011, and August 24, 2011.

- (V) Letters to Wardens (after this was installed in the security booth on July 27, 2011), not to include Mr. Chairman, Unit Managers, Counselors, Supervisors, Medical, Mr. Eutsey, Maintenance.
- (W) Spoke directly to those Wardens, Mr. Eutsey, Unit Managers Harper, Scott, GDOC representative Sandra Partain Butler, Medical staff, Counselors, Supervisors, Correctional officers.
- (X) Showed information from portableACguide.com to those Wardens, Mr. Eutsey, Unit Managers, Counselors, Supervisors, Maintenance, and various Correctional officers.

ATTACHMENT FOR SECTION V, STATEMENT OF CLAIM

ME THE NEXT DAY, IF NOT THE WARDEN, OR BOTH. SHE THEN STATED A C/O FOUND MARIJUANA IN A MUTUAL AREA SHARED BY ALL VISITORS AND K-BUILDING INMATES. SHE ADDED THEY WAS DETAINING MY DAUGHTER, BUT DID NOT KNOW WHERE MY WIFE WAS (FOUND OUT LATER THE LATTER WAS NOT TRUE). I EXPLAINED THAT MY DAUGHTER IS IN COLLEGE, A MEDICAL PROFESSIONAL, DO NOT SMOKE, DRINK ALCOHOL, GO TO CLUBS, OR ANY SUCH INDULGENCES, AND NEITHER DID MY WIFE, ALSO A MEDICAL PROFESSIONAL. I ADDED I HAVE NOT EVER BEEN SUSPECTED OF OR CAUGHT WITH DRUGS EXITING VISITATION OR ELSEWHERE, NEVER FAILED DRUG TESTS. I ASKED THAT SHE AND HER STAFF TALK TO THE INMATES AND THEIR VISITORS STILL PRESENT, WHO WOULD VERIFY MISTAKES C/O ANDREA WILLIAMS MADE SEVERAL TIMES THAT DAY DELIVERING FOOD AND DRINK TO THE WRONG PEOPLE. THE DRUGS WERE ALLEGEDLY FOUND INSIDE POTATO CHIPS BAGS. I WAS TAKEN TO PUNITIVE ISOLATION IN H2-40, WITH A CONCRETE SLAB AS A BED. I REMAINED THERE FROM JULY 4, 2013 TO SEPTEMBER 16, 2013, 74 DAYS. I WAS NEVER GIVEN A SEGREGATION AS SIMILARLY SITUATED INMATES ARE. I WAS NEVER GIVEN A DISCIPLINARY REPORT FOR ANY TYPE OF RULES VIOLATION. AS NOTED IN MY ATTACHMENTS, I HAVE SPOKEN DIRECTLY TO MR. EUTSEY, WHO STATED I WOULD GET TO TALK TO INTERNAL AFFAIRS. THIS NEVER HAPPENED. I ASKED HIM, MAJOR DENDY, LT. BROWN, UNIT MANAGER MILLER, AND OTHERS, HOW COULD THERE BE ANY ALLEGED TYPE OF "INVESTIGATION" WITHOUT INTERNAL AFFAIRS [REDACTED] OR

HEARING

ATTACHMENT FOR SECTION V, STATEMENT OF CLAIM

ANYONE ELSE TALKING TO ME, MY WIFE AND DAUGHTER, OR MY WITNESSES? I SENT LETTERS TO WARDEN CHATMAN ASKING FOR INTERNAL AFFAIRS, TO NO AVAIL. I FILED GRIEVANCES, AS NOTED, ASKING FOR INTERNAL AFFAIRS, ASKING FOR ANY AND ALL VIDEO TAPES TO BE PRESERVED, ASKING FOR MY WITNESSES TO BE INTERVIEWED, ASKING FOR DUE PROCESS, TO NO AVAIL. CAPTAIN FELTON TOLD ME I COULD NOT MAKE ANY PHONE CALLS, INCLUDING MY ATTORNEYS, PER DEFENDANTS CHATMAN, EUTSEY, AND DENDY. THIS WAS WITNESSED BY C/O'S CRUNK AND LEERY. THAT WAS LIFTED LATER, AFTER MY ATTORNEYS CALLED THE PRISON. IN ALL THE GRIEVANCES AND LETTERS, I FOUGHT TO BE HEARD MEANINGFULLY. AS NOTED, I ALSO WROTE INTERNAL AFFAIRS DIRECTLY, ALSO FUTILE. I TOLD MR. EUTSEY THAT PER GDOC POLICY, IT WAS HIS DUTY TO REVIEW VIDEO TAPES AND MAINTAIN ANY THAT REVEALED ANY QUESTIONABLE BEHAVIOR. MY WIFE AND DAUGHTER WERE ARRESTED, TWICE, FOR THE SAME ALLEGATION. THEY WERE IN THE BUTTS COUNTY JAIL FOR 71 HOURS AFTER ARREST ON JULY 4, 2013. BUTTS COUNTY SHERIFF'S DEPUTY INGRAM TOLD DEFENDANT DENDY VIA LT. JESTER AND OTHERS, THAT THEY NEEDED TO GET CHARGES AND A WRIT WARRANT TO THE JAIL WITHIN 48 HOURS. AFTER RELEASE, AND AFTER I FILED GRIEVANCES, DEFENDANTS HAD MY WIFE AND DAUGHTER ARRESTED AGAIN, FOR THE SAME INCIDENT, ELEVEN DAYS LATER. DURING THE 71 HOURS THEY WERE NOT ALLOWED PHONE CALLS AT ALL. THEY

ATTACHMENT FOR SECTION V, STATEMENT OF CHATMAN

WE'RE HELD OVERNIGHT THE SECOND TIME. THEY WENT BEFORE A MAGISTRATE JUDGE WHO SET BOND, WHICH THEY POSTED. CHARGES WERE DISMISSED AGAINST BOTH, AFTER SEVERAL CONTINUANCES BY THE STATE, WHO SAID THEY AWAITED ALLEGED EVIDENCE FROM DEFENDANTS AND THE GDOC. ON MAY 19, 2015, I SENT A LETTER TO WARDEN CHATMAN SEEKING REINSTATEMENT OF MY WIFE TO MY VISITATION LIST, AFTER SHE AND MY DAUGHTER WERE REMOVED ABOUT JULY 11, 2013. I POINTED OUT THAT A SIMILARLY SITUATED INMATE IN G-HOUSE, MICHAEL NANCE, HAD HIS VISITATION RESTORED BY DEFENDANTS CHATMAN AND EDEY, WITH HIS FRIEND RITA ?? . RITA HAD BEEN CAUGHT DIRECTLY PASSING NARCOTICS TO NANCE SHORTLY AFTER THE JULY 4, 2013 INCIDENT WITH ME. BASED UPON INFORMATION AND BELIEF, NANCE HAS BEEN CAUGHT LEAVING VISITATION WITH RITA WITH NARCOTICS BEFORE. SHE WAS CAUGHT PASSING CONTRABAND THROUGH THE FENCE ON VISITATION (REPLACED BY ALEXIGLASS NOW). SHE IS BELIEVED TO HAVE BEEN SUSPENDED AND/OR REMOVED FROM NANCE'S VISITATION LIST SEVERAL TIMES. I PERSONALLY SAW RITA ON VISIT WITH NANCE ON SATURDAY, APRIL 19, 2014, AND SHE STILL VISITS. RITA WAS NOT ARRESTED EITHER TIME. HER CAR WAS NOT TOWED, AS MY WIFE'S WAS, COSTING \$185. NANCE WAS NOT TAKEN TO PUNITIVE ISOLATION. NANCE AND RITA ARE BOTH CAUCASIAN. PLAINTIFF, HIS WIFE AND DAUGHTER, ARE AFRICAN-AMERICANS. I HAVE RECEIVED NO RESPONSE

ATTACHMENT FOR SECTION V, STATEMENT OF CLAIM
 FROM WARDEN CHATMAN. I DECIDED TO WAIT ON THAT DECISION BEFORE FILING A RACIAL DISCRIMINATION GRIEVANCE. I TOLD ALL DEFENDANTS IT IS MY OPINION THAT THIS IS RETALIATION BECAUSE OF THE GRIEVANCES AND COURT ACTIONS I HAVE FILED. MY WIFE HAS FILED A LAWSUIT IN THIS MATTER.

II. SANITATION

ON THURSDAY, JUNE 11, 2015, I ASKED G-HOUSE SUPERVISOR LT. RATTY PERCY TO CLEAN AND SANITIZE THIS AND OTHER AREAS. SHE SAID SHE WOULD HAVE HER CREW TO DO SO THE NEXT DAY, WHICH DID NOT HAPPEN. I ASKED HER SEVERAL TIMES SINCE, ONCE IN THE PRESENCE OF COUNSELOR WHITER, STILL TO NO AVAIL. AS ~~NOTED~~ IN MY ATTACHMENT, I HAD TO FILE A GRIEVANCE ON HER AS A SERGEANT FOR SIMILAR SANITATION ISSUES. ON JUNE 23, 2015, I SENT A LETTER TO HER BOSS, UNIT MANAGER MILLER, ABOUT THIS RECURRING PROBLEM WITH LT. PERCY. ON JUNE 25, 2015, MR. MILLER CAME TO THE AREA, AS I HAD ASKED, IN ORDER TO SEE THE FILTH HIMSELF. I OFFERED TO THOROUGHLY CLEAN AND SANITIZE THE AREA. HE SAID HE HAD NO PROBLEM WITH THAT, BUT HE WOULD HAVE TO ASK DEFENDANT EUBEN. C/O'S SWEEP AND MOP THE AREAS, SOMETIME EVERY OTHER NIGHT, BUT DO NOT CLEAN AND SANITIZE. I HAVE NOT SEEN OR BEEN GIVEN A TOILET BOWL BRUSH AND CLEANER

ATTACHMENT FOR SECTION V, STATEMENT OF CLAIM
 (AJAX, COMET, GENERIC) IN OVER A YEAR. ROACHES ARE RAMPANT, RATS ARE REGULAR, ALONG WITH OTHER PESTS. IN THE OFFICE WITH UNIT MANAGER MILLER AND SGT. BIGGS, ROACHES WERE CRAWLING ALL OVER. I KILLED SEVERAL IN ONE DAY, PUT THEM IN A ZIPLOC BAG, AND SHOWED IT TO LT. RERLY, COUNSELOR WHITTER, AND OTHERS. THEY ONLY SAY SOME C/O IS SUPPOSED TO SCHEDULE EXTERMINATION. THE LAST ACTUAL SPRAYING WAS IN ONLY ONE AREA, G3rd SEG UNIT, JUNE 19, 2014. THE AIR COMPRESSOR WAS USED TO CLEAN DUST AND GLEN OFF THE INSIDE FENCE ON OCTOBER 10, 2014, BY SGT. COLLIS. SIMILARLY SITUATED INMATES ARE GIVEN CHEMICALS EACH MORNING AND NIGHT, TO CLEAN THEIR CELLS AND AREAS. I MIGHT GET A SMALL STYROFOAM CUP OF BLEACH, DISINFECTANT, FLOOR STRIPPER TWICE A WEEK. I HAVE ASKED DEFENDANTS CHATMAN AND EDEY TO ALSO COME SEE THE FILTH, TO NO AVAIL. AS NOTED IN MY ATTACHMENT, I HAVE HAD AT LEAST A COUPLE GRIEVANCES "FULLY GRANTED" UNDER OTHER WARDENS. IT IMPROVED A LITTLE WHILE, THEN RIGHT BACK TO FILTH AND PESTS. IN GRIEVANCE NO. 15856A, MR. EISEY FALSELY CLAIMED G-HOUSE WAS BEING EXTERMINATED TWICE A MONTH. ALL STAFF AND INMATES OF G-HOUSE KNOW THAT IS NOT TRUE. STAFF SHOULD NOT ACQUIESCE TO GRIEVANCES MERELY TO RENEGE ON SOLUTIONS LATER.

ATTACHMENT FOR SECTION V, STATEMENT OF CLAIM

III. OUT OF CELL TIME

SINCE DEFENDANT EUTSEY BEGAN WORKING IN G-HOUSE, FIRST AS UNIT MANAGER, I HAVE BEEN DENIED PREVIOUSLY APPROVED OUT OF CELL TIME. THIS HAS BEEN A DEPRIVATION FOR ABOUT FIVE YEARS. I HAVE FACTUALLY POINTED OUT THAT G-DO C POLICY AS WELL AS SOP'S (STANDARD OPERATING PROCEDURE) HAVE NOT BEEN STATUTORILY CHANGED. MR. EUTSEY DECIDED I CAN ONLY COME OUT OF THE CELL FOR ATTORNEY/REGULAR VISITS, RELIGIOUS SERVICES, MEDICAL, SHOWER THREE TIMES WEEKLY, OR TELEPHONE USE. HE HAD A STEEL-ENCLOSED CAGE BUILT OUTSIDE, WITH NO EXERCISE OR RECREATION ABILITIES. THESE ARE HOT AND HUMID, COLD, WATER OFTEN INSIDE, NO PANIC OR OTHER ABILITY TO SUMMON HELP, AND ONLY SLIGHTLY LARGER THAN THE APPROXIMATELY 8' X 10' CELLS. THIS IS HIS IDEA OF OUT OF CELL TIME FOR EXERCISE AND RECREATION. MR. EUTSEY HAS STATED SEVERAL TIMES THAT HE WOULD RECONSIDER THIS DENIAL, BUT I AM STILL NOT ALLOWED OUT. I NOTED THAT THE SOP'S STATE ADMINISTRATIVE SEGREGATION IS NOT FOR PUNISHMENT. I ADDED THAT WITHIN THE CELL BLOCK, EVEN IN PUNITIVE ISOLATION, INMATES ARE ALLOWED OUT OF THE CELL TIME FOR THREE DAYS WEEKLY. THERE HAS BEEN NO INCIDENT TO JUSTIFY THIS.

ATTACHMENT FOR SECTION V, STATEMENT OF CLAIMIV. MEDICAL

ON JUNE 9, 2015, I SENT A LETTER AND SICK CALL REQUEST TO DEFENDANT DR. FOWLKE. I OUTLINED SEVERAL CHRONIC PROBLEMS, INCLUDING BLEEDING OUT OF MY PENIS, PAINFUL URINATION, FEET PAIN, PAIN FROM A HERNIA OPERATION. I ASKED TO BE SEEN FOR A PROSTATE EXAM, AND NOTED HE EXAMINED AND PUT ME ON MEDICATION (CARDURA) YEARS AGO, AFTER HE NOTICED ENLARGEMENT. I STILL HAVE NOT BEEN SEEN. A VISITING DOCTOR, DR. SMITH, SAW ME ON MARCH 25, 2013, AFTER I WROTE DR. FOWLKE ABOUT TESTICULAR PAIN AND RELATED PROBLEMS. DR. SMITH OPINED THAT I NEEDED TO SEE A UROLOGIST, AS DR. FOWLKE HAD STATED, TO NO AVAIL. ON OR ABOUT APRIL 2, 2014, I WAS TAKEN TO MEDICAL BY LT. PIERCE AND NOW-SGT. COLLIS, BECAUSE OF SEVERE PAIN. I WAS SEEN BY NURSE PRACTITIONER MAKINDE, WHO PRESCRIBED NAPROXEN. I EXPLAINED TO HER THAT THE FDA HAD JUST RED-FLAGGED NAPROXEN FOR SEVERAL REASONS, INCLUDING CARDIOVASCULAR WARNINGS, CLOTTING. I HAD TAKEN NAPROXEN BEFORE, AND ADDED I HAD AN ALLERGY TO IT, WHILE LISTING SIMILAR MEDICATIONS. DR. FOWLKE CAME IN, I EXPLAINED THE SAME, AND ASKED FOR DIFFERENT MEDS, EVEN SHORT TERM, AS I HAVE HAD BEFORE. I EXPLAINED WHAT MY SURGEON, DR. FERDINAND

ATTACHMENT FOR SECTION V, STATEMENT OF CLAIM

TOLD ME ABOUT WHAT TO EXPECT LONG TERM, WHICH WAS HAPPENING. I ASKED THAT HE EITHER CALL DR. FERDINAND AT AUGUSTA STATE MEDICAL PERSON, OR REVIEW MY RECORD. DR. FOWLKES REFUSED TO DO ANYTHING. I STATED I WAS NOT TAKING MEDS THE FDA DOWNGRADED, WITH POTENTIALLY DEADLY RESULTS, OR THAT I WAS ALLERGIC TO. I HAVE BEEN ON THE MEDS I REQUESTED, WHICH WORKED FOR THE VARIOUS AILMENTS, NEURONTIN. DR. FOWLKES REFUSE TO PRESCRIBE THIS NOW, ALTHOUGH HE HAS DONE SO FOR SIMILARLY SITUATED INMATES, FOR YEARS AT A TIME. THESE ARE BELIEVED TO INCLUDE: JOSHUA BISHOP, REYNALDO RIVERA, JAMES LEE, AND ROGER COLLINS. AS MY RECORD REFLECT, DR. FOWLKES HAD PRESCRIBED SEVERAL MEDS FOR MY BACK, FEET, AND OTHER AREAS OVER THE YEARS. THIS ALTERED AFTER I WROTE LETTERS, FILED GRIEVANCES, AND CONTACTED MY ATTORNEYS, WHO CONTACTED THE WARDENS. MY BLOOD PRESSURE IS CONSISTENTLY HIGH, DESPITE MEDS. I AM DIZZY, WITH BLURRED VISION DAILY, WHICH DR. FOWLKES AND OTHERS ATTRIBUTE TO THE MEDS. HIGH LEVEL PAIN IN MY BACK AND FEET DAILY, COMPOUNDED BY SIMILAR AND GREATER PAIN IN THE AREA OF THE HERNIA OPERATION. SEVERAL URINARY TRACT INFECTIONS AND BLOOD IN URINE. ALL I HAVE GOTTEN IS 800 MG OF IBUPROFEN, WHICH ONLY HELP VERY LITTLE.

ATTACHMENT FOR SECTION V, STATEMENT OF CLAIM
IV. COMMERCIAL COOLER

ON JULY 27, 2011, A PORTABLE AIR CONDITIONER WAS PLACED IN THE SECURITY BOOTH, DIRECTLY WHERE I AM HOUSED. I HAVE FILED GRIEVANCES, WRITTEN LETTERS, AND TALKED TO PRACTICALLY EVERYONE ABOUT THE EXTRA HEAT BECAUSE OF THE UNITS. I HAVE SHOWN THEM THE LITERATURE ON THE UNIT, TO INCLUDE DIAGRAMS. IT IS CLEAR THAT AN EXTERNAL WINDOW OR WALL EXHAUST VENT FOR THE HOT AIR EXHAUST IS WARRANTED. ONCE THE UNIT IS SAT WHERE DESIRED, "YOU MUST SET THE EXHAUST HOSE THROUGH AN OPENING TO THE OUTSIDE SO THAT IT CAN VENT HOT AIR OUT." IT IS NECESSARY TO VENT BECAUSE THEY EXTRACT HOT AIR. VENT THE HOT AIR TO THE OUTSIDE. THE MOST COMMON LOCATION IS OUT OF A SLIDING WINDOW. CONNECT THE EXHAUST HOSE TO THE WINDOW KIT ADAPTER AND SHUT THE WINDOW. THE VENT HOSE IS ESSENTIALLY AN EXHAUST HOSE THROUGH WHICH HOT AIR IS REMOVED FROM THE ROOM BEING COOLED. THE VENT HOSE IS TYPICALLY ABOUT 5 FEET LONG. AN EXHAUST HOSE KIT COMES WITH THE UNIT. THE EXHAUST IS TO EXPEL THE EXCESS HEAT CREATED BY THE UNIT, TURNING REFRIGERATED GAS BACK TO LIQUID AND COMPRESSING THE GAS AND THEN USING CONDENSER COILS TO SEND THAT GAS OUTSIDE. (PortableACguide.com). IN PLAINTIFF'S CASE, THE UNIT HAS A

ATTACHMENT FOR SECTION V, STATEMENT OF CLAIM

HOSE SET IN A PLEXIGLASS WINDOW ATTACHED TO THE BOOTH. THE HOT AIR AND GAS IS EXPELLED FROM THE BOOTH, BUT COMES DIRECTLY TO THE AREA I AM IN. THERE IS A WINDOW TO THE OUTSIDE ABOUT 5 FEET OR LESS FROM THE WINDOW THE HOSE IS IN. IF THE UNIT IS SAT ON THE LEDGE OF THE WINDOW INSIDE THE BOOTH, INSTEAD OF ON THE FLOOR, THE HOSE ATTACHED TO THE UNIT WILL POSSIBLY REACH THE WINDOW TO THE OUTSIDE. IF NOT, A HOSE EXTENSION KIT IS SOLD AT REASONABLE PRICES, AND EASILY AFFIX TO THE UNIT'S HOSE. I HAVE SUGGESTED THESE AND OTHER SIMPLE ALTERNATIVES, MAINTENANCE AGREED, BUT THE DEFENDANTS HAVE NOT ALLOWED THIS, AT LEAST MR. EUTSEY HAS NOT. ONE RESPONSE TO MY GRIEVANCE WAS "NOT A SIGNIFICANT DIFFERENCE IN TEMPERATURE" IN THIS AREA. I SUGGESTED LETTING THE HOT AIR AND GAS GO BACK INTO THE C/O'S BOOTH, IF THAT IS ACCEPTABLE. THAT WAS NOT DONE. THERE HAS NOT BEEN A THERMOMETER IN THE AREA TO VERIFY THE DIFFERENCE. I POINTED OUT 5 DEGREES OF A DIFFERENCE CAN BURN FOOD, AND CAUSE HEALTH PROBLEMS, IF NOT WORSE. THE HEAT CAN BE SMELLED, I HAVE RASHES AND ITCH ONLY WHEN IT IS ON, AND IT IS A DANGER TO MY ALREADY HIGH BLOOD PRESSURE AND RELATED HEALTH PROBLEMS.

ATTACHMENT FOR SECTION 15

A PRELIMINARY AND PERMANENT INJUNCTION ORDERING DEFENDANTS CHATMAN AND EATSEY TO CEASE THEIR DENIAL OF RESTORING PLAINTIFF'S WIFE, DEBRA ANNE GARY TO HIS VISITATION LIST, AS THEY RESTORED INMATE MICHAEL NANCE'S FRIEND RITA TO HIS VISITATION LIST.

A JURY TRIAL ON ALL ISSUES TRIABLE BY JURY.
ANY COSTS TO PLAINTIFF IN THIS SUIT.

ANY ADDITIONAL RELIEF THAT THIS COURT DEEMS JUST, PROPER, AND EQUITABLE.

DATED: JUNE 30, 2015